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12 *Norman Schwartz, Louis Drapeau, Alice Schwartz,*
Albert Hillman, and Deborah Neff.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

16 SANFORD S. WADLER,
17 Plaintiff,
18 v.
19 BIO-RAD LABORATORIES, INC.,
20 a Delaware Corporation; NORMAN
SCHWARTZ; LOUIS DRAPEAU;
ALICE N. SCHWARTZ; ALBERT J.
HILLMAN; DEBORAH J. NEFF,
21 Defendants.
22) No. 3:15-cv-2356 JCS
)
) **DECLARATION OF**
) **LINDA M. INSCOE IN SUPPORT OF**
) **DEFENDANTS' MOTION TO**
) **STRIKE REBUTTAL EXPERT**
) **REPORT OF BRADLEY WENDEL**
)
) **Hearing Date: October 14, 2016**
) **Time: 9:30a.m.**
) **Place: Courtroom G, 15th Floor**
) **Judge: The Honorable Joseph C. Spero**
)
)

23 I, Linda M. Inscoe, declare as follows:

24 1. I have personal knowledge of the facts set forth herein and I am competent to
25 testify as follows.

26 2. I am one of the attorneys of record in this lawsuit for the named Defendants, and I
27 have access to and am familiar with the pleadings in this matter.

1 3. Attached hereto as **Exhibit A** is a true and correct copy of the expert report of
 2 Defendants' expert E. Emre Carr, which was served on Plaintiff on July 1, 2016.

3 4. Attached hereto as **Exhibit B** is a true and correct copy of expert report of
 4 Defendants' expert David Lewin, which was served on Plaintiff on July 1, 2016.

5 5. Attached hereto as **Exhibit C** is a true and correct copy of an email exchange that
 6 occurred on July 7-11, 2016, on which I was copied, between Kevin B. Clune, co-counsel for
 7 Plaintiff, and Marcy Priedeman, co-counsel for Defendants.

8 6. Attached hereto as **Exhibit D** is a true and correct copy of an expert rebuttal
 9 report of Plaintiff's expert Bradley Wendel, which was served on Defendants on August 17,
 10 2016.

11 7. Attached hereto as **Exhibit E** is a true and correct copy of an email exchange
 12 between myself and Michael von Loewenfeldt, co-counsel for Plaintiff on August 24, 2016.

13 8. Attached hereto as **Exhibit F** is a true and correct copy of an expert rebuttal
 14 report of Plaintiff's expert Donald A. Walker, which was served on Defendants on August 17,
 15 2016.

16 9. On August 24, 2016, I met and conferred in person with counsel for Plaintiff,
 17 Michael von Loewenfeldt. I explained the basis for Defendants' Motion to Strike the Expert
 18 Rebuttal Report of Bradley Wendel and asked Plaintiff to withdraw the report. Mr. von
 19 Lowenfeldt refused. I told Mr. von Lowenfeldt that we would file the present Motion to Strike
 20 the Expert Rebuttal Report of Bradley Wendel the following day. Mr. von Loewenfeldt
 21 demanded we delay filing the motion, as he was leaving for vacation for two weeks on August
 22 25, 2016, and said he would demand further meet and confer regarding the motion if his request
 23 regarding its timing was not met. As an accommodation to Mr. von Lowenfeldt's schedule, I
 24 agreed to delay the filing of this motion to September 2.

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1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed this 2nd day of September, 2016.

3 /s/

4 Linda Inscoe

5 *Attorney for Defendants Bio-Rad Laboratories Inc.,*
6 *Norman Schwartz, Louis Drapeau, Alice Schwartz,*
Albert Hillman, and Deborah Neff

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